

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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| PHILLIP DOUGLAS JACOBS, | : | CASE NO. 5:94 CV 1910 |
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| | | Petitioner, |
| | | |
| -vs- | : | |
| | | <u>MEMORANDUM OF OPINION AND</u> |
| | | <u>ORDER</u> |
| HARRY RUSSELL, Warden, | : | |
| | | |
| | | Respondent. |
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UNITED STATES DISTRICT JUDGE LESLEY WELLS

Before the Court are the following submissions from the Petitioner: Motion to Vacate Void Judgment “ex parte” in Consolidation with Mandatory Judicial Notice”; (Doc. 95); Supplement Case Law and Authority to Motion to Vacate (Doc. 96); “Amended Motion to vacate with Incorporating by Reference Here – with Petition for Writ of Habeas Corpus – with Amended Grounds for Relief and Immediate Request for Hearing for Resolution”; (Doc. 97); “Notice of Submission of Document Evidence;” (Doc. 98); “Motion for Leave to File a More Definite Statement”; (Doc. 102).

The Court construes these filings as challenges to this Court's order issued 29 August 2001 (Doc. 87), fully considering and denying Mr. Jacobs' petition for writ of habeas corpus. In the interim, the Petitioner has exhibited a history of iterative, and untimely, challenges (Doc. 93, 94) to this Court's determination nearly nine years ago.

Mr. Jacobs' current efforts at resuscitating his habeas claim is untimely and bears no indication of excusable neglect or good cause for the untimely filings.

Accordingly, the Court will deny Mr. Jacobs' motions (Docs. 95, 97, 102) and declare moot his supplemental filings (Docs. 96, 98).

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Date: 9 June 2010